

ATTACHMENT A-STATEMENT OF FACTS

The undersigned parties hereby stipulate and agree that if this case had proceeded to trial, government would have proven the following facts beyond a reasonable doubt. The undersigned parties also stipulate and agree that the following facts do not encompass all of the evidence that would have been presented had this matter proceeded to trial.

At all times relevant to this case, defendant Dennis Smith, aka Domo ("SMITH"), was a resident of Capitol Heights, Maryland.

In October of 2011, SMITH met M.C., a 16 year old female on the social networking site Tagged.com. SMITH drove to M.C.'s home after engaging in chats and text messaging over a month long period and picked her up in his vehicle. After picking up two other adult females, SMITH drove all three females to Richmond, Virginia where the two adult females prostituted. SMITH had M.C. collect the monies the two adult females made for a period of two days. SMITH then photographed and advertised M.C. online for sexual services. M.C. engaged in commercial sex acts for money and provided the monies to SMITH. SMITH then drove the females back to Maryland and posted M.C. for sexual services online. M.C. did not engage in sex acts that night. The next day, M.C. left SMITH and returned home.

In February 2012, SMITH picked up M.C. and K.E., a 15 year old female, from their high school and took them back to his home. K.E. was wearing her school uniform that day. On March 6, 2012, law enforcement was notified that SMITH was prostituting K.E. through an online advertisement in a hotel in New Carrollton, Maryland. Law enforcement located the online advertisement and observed two females that appeared to be underage advertised for sexual services under the same posting. Law enforcement set up a "date" with K.E. and upon arriving at the hotel, identified K.E. and N.B., a 17 year old female prostituting. Also present at the hotel was SMITH.

SMITH advertised both K.E. and N.B. for sexual services online. SMITH drove to N.B.'s home in Suitland, Maryland and brought her to the hotel where he photographed her and instructed her on how much to charge clients for sexual services. K.E. was brought to the hotel by SMITH who photographed and advertised her on the internet for prostitution. K.E. engaged in commercial sex acts for money and provided the monies to SMITH.

SMITH was interviewed by law enforcement and stated he has used the same phone number, for approximately 8-9 years. This is the same phone number used in the online advertisement of K.E. and was the phone number associated with the payment for M.C.'s advertisement in Richmond, Va. SMITH also provided his email address, which is the same email address associated with payment for the online advertisement of M.C. in Richmond, Va. SMITH admitted to taking a picture of K.E. in her swimsuit in his hotel room with his phone. SMITH stated he took pictures of M.C. as well and that M.C. went to Richmond, Va in October 2011. SMITH admitted that the two females, K.E. and N.B. were staying with him at the New Carrollton hotel. SMITH identified the laptop in the hotel room where the two juveniles were

located as his.

SMITH's laptop and cell phones were seized along with tattoo equipment. Both M.C. and K.E. had been tattooed by SMITH with the word "Domo." There were text messages to and from SMITH and M.C. on his phone. The text messages between SMITH and M.C. related to M.C. engaging in prostitution, SMITH booking hotel rooms and instructing M.C. to change out of her school uniform before going to see him. There were also text messages by M.C. to/from clients and message to SMITH about clients. Also on the phone were text messages to K.E. from SMITH asking her if he should set her up for outcalls and letting K.E. know that he was getting a hotel room. K.E. texted SMITH notifying him of clients arriving and leaving. SMITH also texted K.E. to notify her he had posted her and N.B. online for prostitution.

* * *

I have read this statement of facts, and carefully reviewed it with my attorney. I acknowledge that it is true and correct.

10/25/12

Date


Dennis Smith